

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

DENZEL MORRIS,

Plaintiff,

v.

9:09-CV-1226

TROY T. PLUMMER, et al.,

Defendants.

APPEARANCES:

OF COUNSEL:

Denzel Morris
04-A-2038
Southport Correctional Facility
P.O. Box 2000
Pine City, NY 14871
Plaintiff, *pro se*

HON. ANDREW M. CUOMO
Attorney General for the State of New York
The Capitol
Albany, NY 12224
Attorney for Defendants

Adele M. Taylor-Scott, ESQ.
Assistant Attorney General

NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE

ORDER

The above matter comes to me following a Report-Recommendation by Magistrate Judge Andrew T. Baxter, duly filed on the 14th day of September 2010. Following fourteen (14) days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

ORDERED that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The defendants' motion to dismiss the complaint (Dkt. No. 11) is granted and the complaint is dismissed in its entirety.
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

IT IS SO ORDERED.

Dated: October 6, 2010
Syracuse, New York


Norman A. Mordue
Chief United States District Court Judge